

**BUREAU OF LAND MANAGEMENT
YUMA FIELD OFFICE
2555 E. Gila Ridge Rd.
Yuma, AZ 85365**

CATEGORICAL EXCLUSION (CX) FORM

AZ-320-2006-001

Case/Project No.: AZA 33272

PROJECT NAME: *TDS Telecom Telecommunication Cable*

TECHNICAL REVIEW:

(√)	Program	Reviewer	Signature	Date
	Air Quality			
	ACEC			
√	Botanical including T & E Spp.	K. Reichhardt	/s/ K. Reichhardt	11/16/05
	Communications (Dispatch)			
√	Cultural/Paleontology	S. Arnold	/s/ S. Arnold	11/15/05
	Energy Policy			
	Environmental Justice			
	Farmlands (Prime & Unique)			
	Floodplain			
√	Hazardous Material	S. Fusilier	/s/ S. Fusilier	10/11/05
	Invasive & Non-Native Species			
√	Lands/Realty	V. Briceño	/s/ V. Briceño	10/11/05
	Land Law Examiner			
	Law Enforcement			
	Minerals			
	Native American Religious Concerns			
	Operations			
	Range Management			
√	Recreation	R. Morfin	/s/ R. Morfin	10/11/05
	Soils			
	Surface Protection			
	Visual Resources			
	Water Rights			
	Water Quality (Surface & Ground)			
	Wetlands/Riparian Zones			
	Wild & Scenic Rivers			
	Wilderness			
	Wild Horses/Burros			
√	Wildlife including T & E Spp.	K. Reichhardt		

Prepared by: /s/ Vanessa Briceño Date: 10/11/05
Vanessa Briceño
Realty Specialist

Reviewed by: /s/ Karen Reichhardt Date: 11/16/05
Karen Reichhardt
Acting Planning & Environmental Coordinator

Reviewed by: /s/ Thomas Zale Date: 11/17/05
Thomas Zale
Assistant Field Manager

Name of Project: TDS Telecom Telecommunication Cable

Number: AZ-320-2006-001

Case File No.: AZA 33272

Location (legal description):

Right-of-Way Grant application, AZA 33272, affects the following public lands: lots 4, 5, 6, and 7, sec. 6, and lots 1 and 2, sec. 7, T. 3 N., R. 19 W., and lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$, sec. 30, and lots 1, 3, and 4, sec. 31, T. 4 N., R. 19 W., Gila & Salt River Meridian, La Paz County, Arizona. The area described contains 6.759 acres approximately.

Applicant: TDS Telecom

Description of Proposed Action:

On September 6, 2005, we received a right-of-way (ROW) application from TDS Telecom to install a telecommunication cable on existing poles (12 kV overhead powerline) owned and operated by Arizona Public Service Company (BLM ROW AZAR 018973) located on public lands. The proposed ROW to TDS Telecom would be approximately 15 feet wide by 19,628 feet long. The telecommunication cable would be used to provide telephone service to the Rainbow Acres Subdivision in the Quartzsite area. The APS ROW (AZAR 018973) was granted under the authority of Title V of the Federal Land Policy and Management Act (FLPMA) of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761), and all applicable regulations contained in Title 43 Code of Federal Regulations part 2800. The proposed ROW grant would also be issued under FLPMA for a 20-year term with the right to renew. This proposed action would not involve new surface disturbance. Maintenance of the telecommunication cable would occur as needed within the ROW area. If land outside the area were needed for maintenance, a short term ROW would need to be requested.

Categorical Exclusion Reference:

Right-of-Way Grant Application, AZA 33272: 516 DM 6, Appendix 5.4: E(12) – Grants of rights-of-way wholly within the boundaries of other compatibly developed rights-of-way.

Required Stipulations:

1. This grant or permit is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations part 2800.
2. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 90 days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the authorized officer.
3. Each grant issued for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way or permit granted herein may be reviewed at any time deemed necessary by the authorized officer.

4. The stipulations, plans, maps, or designs set forth in Exhibit(s) dated November 17, **2005** attached hereto, are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.
5. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or permit shall constitute grounds for suspension or termination thereof.
6. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.
7. The holder shall conduct all activities associated with the construction, operation and termination of the right-of-way within the authorized limits of the right-of-way.
8. Ninety (90) days prior to termination of the right-of-way, the holder shall contact the authorized officer to arrange a joint inspection of the right-of-way. This inspection will be held to agree to an acceptable termination (and rehabilitation) plan. This plan shall include, but is not limited to, removal of facilities, drainage structures, or surface material, recontouring, topsoiling, or seeding. The authorized officer must approve the plan in writing prior to the holder's commencement of any termination activities.
9. The holder shall meet Federal, State, and local emission standards for air quality.
10. Construction-related traffic shall be restricted to routes approved by the authorized officer. New access roads or cross-country vehicle travel will not be permitted unless prior written approval is given by the authorized officer. Authorized roads used by the holder shall be rehabilitated or maintained when construction activities are complete as approved by the authorized officer.
11. No signs or advertising devices shall be placed on the premises or on adjacent public lands, except those posted by or at the direction of the authorized officer.
12. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.
13. If in connection with operations under this authorization, any human remains, funerary objects, sacred objects or objects of cultural patrimony as defined in the Native American Graves Protection and Repatriation Act (P.L. 101-601; 104 Stat. 3048; 25 U.S.C. 3001) are discovered, the holder shall stop operations in the immediate area of the discovery, protect the remains and objects, and immediately notify the authorized officer. The holder shall continue to protect the immediate area of the discovery until notified by the authorized officer that operations may resume.
14. The holder shall clean off-road equipment (power or high-pressure cleaning) of all mud, dirt, and plant parts prior to moving equipment onto public land authorized under this grant.

15. Gravel and/or fill material to be placed in relatively weed-free areas must come from weed-free sources.
16. The holder shall protect all survey monuments found within the right-of-way. Survey monuments include, but are not limited to, General Land Office and Bureau of Land Management Cadastral Survey Corners, reference corners, witness points, U.S. Coastal and Geodetic benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments. In the event of obliteration or disturbance of any of the above, the holder shall immediately report the incident, in writing, to the authorized officer and the respective installing authority if known. Where General Land Office or Bureau of Land Management right-of-way monuments or references are obliterated during operation, the holder shall secure the services of a registered land surveyor or a Bureau cadastral surveyor to restore the disturbed monuments and references using surveying procedures found in the Manual of Surveying Instructions for the Survey of the Public Lands in the United States, latest edition. The holder shall record such survey in the appropriate county and send a copy to the authorized officer. If the Bureau cadastral surveyors or other Federal surveyors are used to restore the disturbed survey monument, the holder shall be responsible for the survey cost.
17. The holder shall permit free and unrestricted public access to and upon the right-of-way for all lawful purposes except for those specific areas designated as restricted by the authorized officer to protect the public, wildlife, livestock, or facilities constructed within the right-of-way.
18. Holder shall maintain the right-of-way in a safe, usable condition, as directed by the authorized officer. (A regular maintenance program shall include, but is not limited to, blading, ditching, culvert installation, and surfacing.)
19. Construction sites shall be maintained in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.
20. The holder shall furnish and apply water or other means satisfactory to the authorized officer for dust control.
21. All design, material, and construction, operation, maintenance, and termination practices shall be in accordance with safe and proven engineering practices.
22. The holder shall not initiate any construction or other surface disturbing activities on the right-of-way without the prior written authorization of the authorized officer. Such authorization shall be a written notice to proceed issued by the authorized officer. Any notice to proceed shall authorize construction or use only as therein expressly stated and only for the particular location or use therein described.

Compliance and Monitoring Responsibility: YFO, Lands

Compliance inspections would be conducted regularly to verify that the holder complies with the stipulations, terms and conditions set forth in right-of-way grant AZA 33272.

Decision:

BLM has determined that the proposal conforms to the land use plan, is in accordance with the categorical exclusion criteria, and that it will not involve any significant adverse environmental effects. Therefore, it is categorically excluded from further environmental review. The Proposed Action will have no effect on the President's Energy Policy and a Statement of Adverse Energy Impact is not required. The proposed action will be implemented subject to the stipulations within the authorizing document.

Approved by: _____
Rebecca Heick
Yuma Field Manager

Date: _____

Categorical Exclusion Review

Department of the Interior Departmental Manual 516 2.3.A(3) provides for a review of the following categorical exclusion criteria to determine if exceptions apply to this project. The following exceptions apply to individual actions within categorical exclusions (CX). Environmental documents must be prepared for actions which may:

CRITERIA	YES	NO
1 Have significantly adverse effects on public health or safety.	_____	__X__
2 Have adverse effects on such unique geographic characteristics as historic or cultural resources, parks, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or main drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register of Natural Landmarks.	_____	__X__
3 Have highly controversial environmental impacts.	_____	__X__
4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	_____	__X__
5 Establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.	_____	__X__
6 Are directly related to other actions with individually insignificant but cumulatively significant environmental effects.	_____	__X__
7 Adversely affect on properties listed or eligible for listing on the National Register of Historic Places.	_____	__X__
8 Adversely affect species listed or proposed for listing on the List of Endangered or Threatened Species, or adversely affect designated critical habitat for these species.	_____	__X__
9 Require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act.	_____	__X__
10 Threaten to violate a Federal, State, local, or tribal law or requirements imposed for protecting the environment.	_____	__X__